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SUBJECT: UPDATE ON PRISON CONDITIONS IN LAAYOUNE

Classified By: POLITICAL COUNSELOR GREGORY THOME FOR REASONS 1.4 (b) and (d.)

¶1. (SBU) SUMMARY: Conditions have improved a great deal in the last year and a half at the Laayoune prison, the only official prison facility in the Western Sahara. GOM authorities have reduced the prison population by nearly half although a large portion of the reductions are due to the transfer of prisoners to other, often more crowded detention facilities in internationally recognized Morocco. Some Sahrawis characterize these transfers as punishments, saying the moves make it difficult for families in the Western Sahara to visit their imprisoned relatives. Amongst the 448 prisoners currently being held in the Laayoune prison, there are 39 women and 31 teenagers, all held separately from the men. The Moroccan Observatory of Prisons (OMP) reports that two known Sahrawi independence activists (convicted of non-political offenses) are imprisoned in Laayoune and 17 are held elsewhere. However, Sahrawi NGOs say the number of such prisoners is between 52. END SUMMARY.

A View from the Inside

¶2. (SBU) During a February 2-4 trip to Laayoune, we met with Nourredine Darif, the Laayoune-based OMP representative and Benziza Kaltoum, Director of the Association Al-Fath, an NGO that works on prisoner education and efforts to reinsert them back into society upon their release. Darif has been based out of Laayoune and Smara for years and was inspired to work toward improving prison conditions after he himself spent four months in Laayoune's then-badly overcrowded prison in 2004. Benziza has worked in the Laayoune facility for eleven years and her NGO has recently expanded its activities thanks to an injection of government funding. Her NGO has predominantly focused on literacy and job training for prisoners. Her employment training programs, which often continue after the prisoner has been released, focus on small business development skills to prepare prisoners economically for life after prison.

¶3. (SBU) Both Darif and Benziza confirmed that they have regular access to the prison in Laayoune. Benziza actually holds a badge which grants her daily access. Darif, on the other hand, must as an OMP representative still receive specific approval on a case-by-case basis in order to gain entry. Both acknowledged that GOM authorities are much more forthcoming in granting prison access to NGOs such as Al-Fath that focus strictly on ministering to prisoners' educational,

religious or other needs, as opposed to those such as OMP that are specifically concerned with human rights. That said, Darif confirmed that he rarely faces problems or extensive delays in gaining access.

Background on the Laayoune Prison

¶4. (SBU) The Laayoune prison is the only official detention center in the Western Sahara region, aside from meager holding cells co-located in the Smara, Boujdour and Dakhla police stations (respectively 2, 3 and 7 hours from Laayoune by car). The Spaniards built the prison when Laayoune was still under colonial rule and it underwent a renovation in the 1980s. Despite a GOM announcement in 2008 that a new prison would be built -- or the current facility at least renovated -- Darif said that such plans are now off the table for budgetary reasons. The prison has a capacity of 300 but is currently holding 448 prisoners -- still overcrowded, but down substantially from the 900 inmates it housed in 2005. At the moment, the prison holds 417 men, 39 teenagers and 31 women. Darif confirmed that both the group of teenagers and the females are held separately from the men. This is in contrast to the majority of other prisons throughout Morocco in which juveniles are often held in the same cells as adults due to the lack of adequate juvenile prison facilities.

¶5. (SBU) The dramatic reduction in Laayoune's prison population comes in part as a result of King Mohammed VI's annual amnesty which, in the absence of a functioning parole system, permits the GOM to release hundreds of prisoners throughout Morocco prior to the completion of their full sentences. However, the lion's share of the reduction is due to a systematic transfer of prisoners from Laayoune to other prisons throughout the southern areas of internationally recognized Morocco, especially to Agadir and Marrakesh. While Darif and Benziza applauded this GOM effort, which has served to dramatically improve conditions for the prisoners, they acknowledged that some have criticized the transfer program. Some Sahrawi families complain that the transfers have made family visits more difficult, Benziza said. In addition, Sahrawi pro-independence and human rights activists have alleged that the authorities often move prisoners as a punishment for bad behavior or because of their political views. Darif admitted that the transfers have not addressed Morocco's overarching problem of overcrowded prisons -- especially since the authorities transferred most of the Laayoune prisoners to prisons in Morocco proper that are themselves overcrowded. (NOTE: This information tracks with data that Hafidh Benhachem, head of the Directorate General for Prison Administration (DGAP), released in early January of 2010. END NOTE.)

Other Improvements

¶6. (SBU) Darif and Benziza also described other improvements within the prison. With the reduced population, prison officials can manage family visits better and allow them to occur more frequently. Regional officials have increased food budgets, and prisoners' diets are now adequate enough that family members do not need to supplement them. Prisoners have access to a gym and a soccer field, as well as a library, a small computer lab, and adequate spaces for prayer. Benziza noted that the new Wali (i.e., the regional administrator and senior Laayoune-based Ministry of Interior official) has taken a special interest in post-prison reinsertion of prisoners, and has begun providing funding for her organization to

provide increased vocational training in auto repair,
hair styling, and small business management.

Political Prisoners?

¶17. (C) Darif emphasized that all the inmates at Laayoune had committed -- or at least been tried and found guilty of -- actual crimes. However, he cited nineteen cases of known Sahrawi pro-independence activists who are currently serving time in Moroccan prisons -- two in Laayoune and 17 in internationally recognized Morocco. In each of these cases, authorities arrested the Sahrawis and convicted them of a legitimate offense; however, Darif suggested, their known political beliefs may have influenced authorities' decision-making regarding their convictions, sentences, or current location. (NOTE: In a separate meeting, members of the Collective of Sahrawi Human Rights Defenders, the pro-independence NGO that Aminatou Haidar leads, alleged that the GOM currently held 52 such prisoners at various prisons in Western Sahara and Morocco. END NOTE.)

¶18. (C) COMMENT: The dramatic reduction in overcrowding and the improved conditions for prisoners in Laayoune is encouraging, and clearly comes as part of a GOM effort to improve the basic human rights situation in the territory. However, the transfer of prisoners out of the Laayoune prison doesn't reduce overall prison overcrowding in Morocco. As for the political questions surrounding some Sahrawi prisoners, Moroccan law does not recognize the concept of political prisoners and the GOM argues that there are none in the country. However, we do not doubt our contacts' suggestion that there may be political overtones to the cases against some Sahrawis. END COMMENT.

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